

REMARKS

The present application includes claims 1-22. Claims 12-22 have been allowed. Claim 1 has been amended.

Claims 1-11 stand rejected under 35 U.S.C. 101. Claim 1 has been amended to recite, in part, “**using a data acquisition system** to determine a difference in said first signal level and said second signal level; and **using the data acquisition system** to compare said difference to a threshold to detect a shape artifact from a prior image due to scintillator hysteresis, wherein said shape artifact results from an area of trapped electrical charge in a scintillator.” The Applicants respectfully submit that the amendment to claim 1 renders the rejection of claims 1-11 moot.

Accordingly, claims 1-11 should now be in condition for allowance, as well as claims 12-22, which have already been allowed. The Office Action provides various reasons for allowing the claims of the present application. *See* January 27, 2009 Office Action at pages 3-4. The Applicants do not agree or disagree at this time with those reasons, but respectfully reserve the right to support or traverse those reasons should the need arise, and argue different reasons for the allowability of the claim

In general, the Office Action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. The Applicants expressly reserve the right, however, to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a future claim rejection).

The Applicants respectfully request that the outstanding rejections be reconsidered and withdrawn for at least the reasons discussed above. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the undersigned attorney.

Serial No. 10/774,174
Amendment Under 37 C.F.R. § 1.111

The Commissioner is authorized to charge any necessary fees, or credit any overpayment to the Deposit Account No. 07-0845.

Respectfully submitted,

Date: February 3, 2009

/Joseph M. Butscher/
Joseph M. Butscher
Registration No. 48,326

MCANDREWS, HELD & MALLOY, LTD.
500 West Madison Street, 34th Floor
Chicago, Illinois 60661
Telephone: (312) 775-8000
Facsimile: (312) 775-8100